

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

ORLANDO PERDIGONSMITH,)	
)	
Petitioner,)	
)	
v.)	Civil Action No. 05-749
)	Chief Judge Ambrose
UNITED STATES DEPARTMENT OF)	Magistrate Judge Caiazza
JUSTICE IMMIGRATION &)	
NATURALIZATION SERVICE,)	
)	
Respondent.)	

MEMORANDUM ORDER

Orlando Perdigonsmith's Petition for Writ of Habeas Corpus was received by the Clerk of Court on May 26, 2005, and was referred to United States Magistrate Judge Francis X. Caiazza for a Report and Recommendation in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

The magistrate judge's Report and Recommendation, filed on March 7, 2006, recommended that the Petition for Writ of Habeas corpus filed by Orlando Perdigonsmith should be dismissed. The parties were allowed ten (10) days from the date of service to file objections. Service was made on the Petitioner by First Class United States Mail delivered to S.C.R.F. Mercer, Mercer, Pennsylvania, and on the Respondents. No objections have been filed. After review of the pleadings and documents in the case,

together with the Report and Recommendation, the following order is entered:

AND NOW, this 4th day of April, 2006;

IT IS HEREBY ORDERED that the Petition for Writ of Habeas corpus filed by Orlando Perdigonsmith is DISMISSED.

The Report and Recommendation of Magistrate Judge Caiazza, dated March 27, 2006, is adopted as the opinion of the court.

Donetta W. Ambrose
Donetta W. Ambrose
Chief U.S. District Court Judge

CC:

FRANCIS X. CAIAZZA
U.S. Magistrate Judge

Orlando Perdigonsmith, FK-9088
SRCF Mercer
801 Butler Pike
Mercer, PA 16137